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PART II—Section 2

प्राधिकार से प्रकाशित

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इस भाग में विशेष पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed
as a separate compilation.

LOK SABHA

The following Bills were introduced in Lok Sabha on 20th August, 1992:—

BILL No. 142 OF 1992

A Bill further to amend the Constitution of India.

BE it enacted by Parliament in the Forty-third Year of the Republic of India as follows:—

1. This Act may be called the Constitution (Seventy-eighth Amendment) Act, 1992.

Short title.

2. In the Eighth Schedule to the Constitution,—

Amend-
ment of
Eighth
Schedule.

(a) existing entry 7 shall be re-numbered as entry 8, and before entry 8 as so re-numbered, the entry "7. Konkani." shall be inserted;

(b) existing entry 8 shall be re-numbered as entry 10, and before entry 10 as so re-numbered, the entry "9. Manipuri." shall be inserted;

(c) existing entries 9 to 15 shall be re-numbered as entries 12 to 18 respectively, and before entry 12 as so re-numbered, the entry "11. Nepali." shall be inserted.

STATEMENT OF OBJECTS AND REASONS

There have been demands for inclusion of certain languages in the Eighth Schedule to the Constitution. It is proposed to include Konkani, Manipuri and Nepali languages in the Eighth Schedule to the Constitution. The Bill seeks to give effect to this decision.

2. The Nepali language is also known in some areas as 'Gorkha Bhasa'. In the Census operations, other nomenclatures such as 'Gorkhali', 'Gorkhi', 'Gurkhiya', 'Khaskura', or 'Nepali' have also been used.

New Delhi;

NEW DELHI;

S. B. CHAVAN.

The 20th August, 1992.

BILL No. 141 of 1992

A Bill further to amend the Salary, Allowances and Pension of Members of Parliament Act, 1954.

Be it enacted by Parliament in the Forty-third Year of the Republic of India as follows:—

- | | |
|---|--|
| 1. This Act may be called the Salary, Allowances and Pension of Members of Parliament (Amendment) Act, 1992. | Short title. |
| 2. In section 5 of the Salary, Allowances and Pension of Members of Parliament Act, 1954,— | Amend-
ment of
section
5 of Act
30 of
1954. |
| (a) in sub-section (2),— | |
| (i) after the words “performed by him”, the words, “either alone or alongwith companion or spouse,” shall be inserted; | |
| (ii) in the proviso, for the word “sixteen” the word “twenty-eight” shall be substituted; | |
| (b) after Explanation II, the following Explanation shall be inserted, namely:— | |
| “Explanation III.—For the purposes of sub-section (2), any journey performed by the companion or the spouse shall be added in computing the limit of twenty-eight journeys specified in the proviso to that sub-section.” | |

STATEMENT OF OBJECTS AND REASONS

The Joint Committee on Salaries and Allowances of Members of Parliament has made several recommendations for increasing the existing facilities, allowances and pension of Members of Parliament and ex-Members of Parliament. It is proposed to implement the following recommendations as accepted by the Government of India:—

- (i) The number of single air journeys from any place in India to any other place in India for Members of Parliament be raised from 16 to 28 per annum;
 - (ii) Unavailed air journeys out of those admissible for Members of Parliament may be utilised for taking a companion or spouse in an air journey;
2. The Bill seeks to achieve the above objects.

NEW DELHI;

GHULAM NABI AZAD.

The 19th August, 1992.

FINANCIAL MEMORANDUM

Clause 2 of the Bill seeks to amend section 5 of the Act, to provide for increase in the number of single air journey from any place in India to any other place in India for Members of Parliament from 16 to 28 per annum.

2. The above provision would involve a recurring expenditure from the Consolidated Fund of India to the extent of Rs. 1.44 crores per annum approximately.
3. The provisions of the Bill will not involve any other expenditure either recurring or non-recurring.

BILL No. 138 OF 1992

A Bill further to amend the Passports Act, 1967.

BE it enacted by Parliament in the Forty-third Year of the Republic of India as follows:—

Short title and commencement.

1. (1) This Act may be called the Passports (Amendment) Act, 1992.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Amendment of section 5.

2. In section 5 of the Passports Act, 1967 (hereinafter referred to as the principal Act), in sub-section (1), for the words "a fee of rupees fifty", the following words shall be substituted, namely:—

15 of 1967.

"such fee as may be prescribed to meet the expenses incurred on special security paper, printing, lamination and other connected miscellaneous services in issuing passports and other travel documents."

Substitution of new section for section 8.

3. For section 8 of the principal Act, the following section shall be substituted, namely:—

Extension of period of passport.

"8. Where a passport is issued for a shorter period than the prescribed period under section 7, such shorter period shall, unless the passport authority for reasons to be recorded in writing otherwise determines, be extendable for a further period (which together

with the shorter period shall not exceed the prescribed period) and the provisions of this Act shall apply to such extension as they apply to the issue thereof.”.

4. In section 10 of the principal Act, in sub-section (3), after clause (b), the following proviso shall be inserted, namely:—

“Provided that if the holder of such passport obtains another passport, the passport authority shall also impound or cause to be impounded or revoke such other passport.”.

Amendment of section 10.

5. In section 11 of the principal Act, in sub-section (4), for the words and brackets “by such fee (if any) not exceeding rupees twenty-five as may be prescribed”, the words “by such fee as may be prescribed for meeting the expenses that may be incurred in calling for relevant records and for connected services” shall be substituted.

Amendment of Section 11.

6. In section 12 of the principal Act,—

(a) in sub-section (1), for the words “six months or with fine which may extend to two thousand rupees”, the words “two years or with fine which may extend to five thousand rupees” shall be substituted;

(b) after sub-section (1), the following sub-section shall be inserted, namely:—

“(1A) Whoever, not being a citizen of India,—

(a) makes an application for a passport or obtains a passport by suppressing information about his nationality, or

(b) holds a forged passport or any travel document,

shall be punishable with imprisonment for a term which shall not be less than one year but which may extend to five years and with fine which shall not be less than ten thousand rupees but which may extend to fifty thousand rupees.”;

(c) in sub-section (2), for the word, brackets and figure “sub-section (1)”, the words, brackets, figures and letter “sub-section (1) or sub-section (1A)” shall be substituted.

7. In section 13, in sub-section (1) and in section 14, in sub-section (1) of the principal Act, for the words “officer of police”, the words “officer of police or emigration officer” shall be substituted.

Amendment of sections 13 and 14.

8. Sections 18 and 26 of the principal Act shall be omitted.

Omission of sections 18 and 26.

9. In section 23 of the principal Act, for the words and figures “the Emigration Act, 1922”, the words and figures “the Emigration Act, 1983” shall be substituted.

Amendment of section 23.

Amend-
ment of
section 24.

10. In section 24 of the principal Act, in sub- section (2), in clause (f), for the words “any application for the issue or renewal of a passport”, the words, figures and brackets “any application for the issue of a passport under sub-section (1) of section 5 or issue of a passport” shall be substituted.

STATEMENT OF OBJECTS AND REASONS

On the basis of the experience gained in the administration of the Passports Act, 1967, it is found necessary to amend the said Act for its better administration.

2. The Bill proposes, *inter alia*,—

- (a) to empower the Central Government to prescribe the fee by rules taking into consideration the actual expenditure to be incurred in designing and preparation of the passport booklet;
- (b) to provide for extension of validity period of passport issued for a shorter period;
- (c) for impounding other passports of the holder of a passport if he obtains a passport by suppression of material information, etc;
- (d) to enhance the punishment from six months imprisonment to two years imprisonment and from two thousand rupees to five thousand rupees fine for the offences under section 12;
- (e) to make a new provision providing for stringent punishment for a person who is not a citizen of India if he makes or obtains a passport by suppression of information about his nationality, etc.

3. The Bill seeks to achieve the above objects.

NEW DELHI;

The 11th August, 1992.

R. L. BHATIA.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 10 of the Bill seeks to amend clause (f) of sub-section (2) of section 24 of the Passports Act, 1967 so as to empower the Central Government to provide fees payable in respect of any application for issue of a passport under sub-section (1) of section 5.

2. The matter in respect of which rules may be made are matters of procedure and detail. The delegation of legislative power is thus of a normal character.

—
C. K. JAIN,
Secretary-General.